IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Court No.3

W.P.No. 1065(M/S)/2003

Subhash Singh and another Petitioners.

Vs.

A.D.J./F.T.C. –II Haridwar and others ….Respondents.

Hon'ble Irshad Hussain, J.

As pointed out by inadvertence the name of the respondent No.6 has been retyped. The counsel for the respondent is permitted to delete it from the array of the parties.

2- Heard Sri Sharad Sharma counsel for the petitioner and Sri R.Dobhal counsel for the respondent No. 3.

3- Aggrieved by the judgment and order dated 23-9-2003 passed by respondent No.1 the defendant has preferred this petition. The learned counsel for the parties agreed that the petition may be disposed of with the direction that the observations made by the appellate court respondent No.1 in the impugned judgment shall have no impact and bearing on the suit under section 229-B of the U.P. Zamindari Abolition and Land Reforms Act, 1951 pending before the competent court and that the impugned order may as such be maintained till the decision of the suit finally.

4- The petition is disposed of finally in these terms.

5- It is also director that the suit No. 37 of 1993 under section 229-B of the U.P.Zamindari Abolition and Land Reforms Act, 1951 shall be decided expeditiously by the Court concerned, preferably, within a period of six months. The Presiding Officer shall not be influenced in any way whatsoever by the observations made in the impugned judgment and order dated 23-9-2003.

Dated: 22-10-2003 **(Irshad Hussain, J.)**

ISB